

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**BRUCE LANDSBERG,
et al.,**

Plaintiff,

vs.

**Case No. C2-05-500
Judge Edmund A. Sargus, Jr.
Magistrate Judge Terence P. Kemp**

ACTON ENTERPRISES, INC.,

Defendant.

ORDER

In light of the parties' settlement, and the fact that the Court has, by previous Opinion and Order, approved the proposed Notice to the potential opt-in Plaintiffs, **PLAINTIFF'S SECOND MOTION TO CERTIFY PROVISIONAL CLASS AND SEND OPT-IN NOTICE** (Doc. #50) and **DEFENDANT'S MOTION TO DISMISS** (Doc. #51) are **DENIED AS MOOT**.

IT IS SO ORDERED.

8-12-2008
DATED


**EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE**